

SENATE BILL 360

By Southerland

AN ACT to amend Tennessee Code Annotated, Title 39;
Title 40 and Section 68-1-132, relative to the use
of hemp products by minors.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 39-15-407, is amended by adding
the following as new subdivisions:

() "Hemp":

(A) Means the plant cannabis sativa L. and any part of that plant,
including the seeds thereof and all derivatives, extracts, cannabinoids, isomers,
acids, salts, and salts of isomers, whether growing or not, that do not contain a
delta-9 tetrahydrocannabinol (THC) concentration more than three-tenths of one
percent (0.3%) on a dry weight basis; and

(B) Includes any hemp-derived products that do not contain more than
three-tenths of one percent (0.3%) of delta-9 tetrahydrocannabinol (THC) in a
topical or ingestible consumer product;

() "Smoking material" means tobacco or hemp that is offered for sale to the
public with the intention that it is consumed by smoking;

SECTION 2. Tennessee Code Annotated, Section 39-17-1501, is amended by deleting
the section and substituting the following:

This part shall be known and may be cited as the "Prevention of Youth Access to
Tobacco, Smoking Hemp, and Vapor Products Act."

SECTION 3. Tennessee Code Annotated, Section 39-17-1502, is amended by adding the following as a new subsection (c) and redesignating the existing subsection (c) as subsection (d):

(c) The purpose of this part is also to prohibit the sale or distribution of smoking hemp products to, or purchase of smoking hemp products on behalf of, persons under eighteen (18) years of age.

SECTION 4. Tennessee Code Annotated, Section 39-17-1503, is amended by adding the following as new subdivisions:

() "Hemp":

(A) Means the plant *cannabis sativa* L. and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, that do not contain a delta-9 tetrahydrocannabinol (THC) concentration more than three-tenths of one percent (0.3%) on a dry weight basis; and

(B) Includes any hemp-derived products that do not contain more than three-tenths of one percent (0.3%) of delta-9 tetrahydrocannabinol (THC) in a topical or ingestible consumer product;

() "Smoking hemp" means hemp that is offered for sale to the public with the intention that it is consumed by smoking and that does not meet the definition of a vapor product;

SECTION 5. Tennessee Code Annotated, Section 39-17-1504, is amended by deleting the language "tobacco or vapor product" wherever it appears and substituting the language "tobacco, smoking hemp, or vapor product".

SECTION 6. Tennessee Code Annotated, Section 39-17-1504, is amended by deleting the language "tobacco or vapor products" wherever it appears and substituting the language "tobacco, smoking hemp, or vapor products".

SECTION 7. Tennessee Code Annotated, Section 39-17-1505(a), is amended by deleting the language "tobacco or vapor product" wherever it appears and substituting the language "tobacco, smoking hemp, or vapor product".

SECTION 8. Tennessee Code Annotated, Section 39-17-1505(f), is amended by deleting the subsection and substituting the following:

(f) It is not unlawful for a person under eighteen (18) years of age to handle or transport:

(1) Tobacco, tobacco products, smoking hemp, or vapor products as a part of and in the course of the person's employment; provided, that the person is under the supervision of another employee who is at least twenty-one (21) years of age; or

(2) Tobacco, smoking hemp, or vapor products as part of an educational project that has been developed by the person for entry and display at an agricultural fair or other agricultural competition or event.

SECTION 9. Tennessee Code Annotated, Section 39-17-1505(g), is amended by deleting the word "tobacco" wherever it appears and substituting the language "tobacco or hemp".

SECTION 10. Tennessee Code Annotated, Section 39-17-1507(a), is amended by deleting the word "tobacco" and substituting the language "tobacco or smoking hemp".

SECTION 11. Tennessee Code Annotated, Section 39-17-1509(a), is amended by deleting the word "tobacco" wherever it appears and substituting the language "tobacco or smoking hemp".

SECTION 12. Tennessee Code Annotated, Section 39-17-1509(c), is amended by deleting the language "tobacco or vapor product" wherever it appears and substituting the language "tobacco, smoking hemp, or vapor product".

SECTION 13. Tennessee Code Annotated, Section 39-17-1509(c), is amended by deleting the language "tobacco and vapor products" and substituting the language "tobacco, smoking hemp, and vapor products".

SECTION 14. Tennessee Code Annotated, Section 39-17-1509(d), is amended by deleting the language "tobacco or vapor product" and substituting the language "tobacco, smoking hemp, or vapor product".

SECTION 15. Tennessee Code Annotated, Section 39-17-1509(d), is amended by deleting the language "tobacco products" and substituting the language "tobacco or smoking hemp products".

SECTION 16. Tennessee Code Annotated, Section 39-17-1509(e), is amended by deleting the language "tobacco products" wherever it appears and substituting the language "tobacco and smoking hemp products".

SECTION 17. This act shall take effect July 1, 2019, the public welfare requiring it.